

REMARKS/ARGUMENTS

Claims 1-6 and 8-16 are pending in this application. Claim 1 has been amended. No new matter has been added.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

Claims 1-10 and 12-16 are rejected under 35 U.S.C. §103(a) as being anticipated over Sasaki et al., U.S. Patent No. 6,742,147, in view of Dimitri et al., U.S. Patent No. 6,574,424. Applicants request reconsideration of the rejection for the following reasons.

Independent claims 1, 11 and 13 have been amended to clarify that which the Applicants regard as the invention. In particular, claims 1, 11 and 13 have been amended to specify that the recording-limited area is one in which prescribed information is recorded and which is recognized as a non-recording area. An example of the prescribed information recorded in the recording-limited area is the target information. After the recording limit for the recording-limited area is cancelled, new information can be recorded that is different from the prescribed information. For example, once an advertisement has been played back or displayed, the recording limit can be canceled using special software, and then the recording limited area can be recorded with new and different information.

In Sasaki et al., the disk has a plurality of sectors and a spare area. As mentioned in the Office Action, the spare area is used when one of the other areas is considered defective. Further, as recognized in the Office Action Sasaki et al. do not teach a recording medium with pre-recorded data, such as advertising data. Rather, in Sasaki et al., the spare area has no information recorded until a defective area is detected and the spare area is used. Dimitri is

relied upon for disclosing a method for storing commercials on DVDs. However, neither Sasaki nor Dimitri disclose an area in which prescribed information is recorded and which is recognized as a non-recording area, which Applicants refer to as a recording-limited area. Further, neither Sasaki et al. nor Dimitri et al. suggest canceling a recording limit in such a recording-limited area in combination with recording new information different from the prescribed information in the recording-limited area.

When a defective area is determined to exist in Sasaki et al., the defective area is recognized as a non-recording area, however, there is no possibility that the recording limit for the area will be canceled since it is actually a defective area. Accordingly, new information will that is different from the information recorded previously in the area will not be recorded. Accordingly, the combination of Sasaki et al., and Dimitri et al., do not suggest the invention as set forth in amended claim 1, and claims 2-6, 8-10 and 12 which depend from claim 1.

With respect to claim 11, the same arguments apply with respect to patentability of the claim over Sasaki et al. and Dimitri et al. since the claim has been amended to include that the recording-limited area is one in which prescribed information is recorded and which is recognized as a non-recording area. Ueseka et al is relied upon in the rejection of claim 11 for describing a method-system that teaches encrypted data for an optical disk, such as a DVD. However, the reference does not overcome the deficiencies in the Sasaki et al. and Dimitri et al., combination. Therefore, claim 11 is patentable over the combination of Sasaki et al., Dimitri et al., and Ueseka et al.

Claim 13 is also patentable over the Sasaki et al. and Dimitri et al. combination. Claim 13, as amended, requires that the recording-limited area has prescribed information recorded

therein and that the area is recognized as a non-recording area. The recording limit, according to claim 13 is canceled by reading predetermined information, and this is not suggested by either Sasaki or Dimitri. Accordingly, claims 13-16 should be found allowable over the art of record.

REQUEST FOR CONTINUED EXAMINATION


A Request for Continued Examination (RCE) is being filed concurrently with this Amendment to ensure entry and consideration of the amendments that have been presented.

CONCLUSION

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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